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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/205,020

12/04/98

RYBICKI

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05110/019001

EXAMINER

TM02/1108

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ART UNIT

PAPER NUMBER

2171

DATE MAILED:

11/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/205,020

Applicant(s)

STEVEN G. RYBICKI

Examiner

Thuy Do

Group Art Unit

2171



☒ Responsive to communication(s) filed on Dec 4, 1998

☐ This action is: **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-19 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-13, 15, and 16 is/are rejected.

☒ Claim(s) 14 and 17-19 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

JOHN C. LOOMIS  
PATENT EXAMINER  
GROUP 2300

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Drawings*

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### *Claim Rejections - 35 U.S.C. § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 and 15-16 are rejected under 35 U.S.C. 103(a) as being anticipated by Scott et al, U.S Patent Number 5,649,195, 07/15/1997, filed 05/22/1995, entitled "System and method for synchronizing database in a receive-only network" in the view of Carr et al, U.S Patent Number 5,740,433, 04/14/1988, filed 08/28/1996, entitled "Remote duplicate database facility with improved throughput and fault tolerance".

With respect to independent claim 1, Scott et al discloses a method for synchronizing first database residing on a first computer with a second database residing on a second computer, the method comprising:

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the first computer transmitting to the second computer a proposed synchronization mode and at least one operation operative on a record stored in the second database (see col. 1 in particular lines 24-31 and Fig. 1).

With respect to independent claim 1, Scott et al discloses the claimed method except in the method for synchronization database : the second computer returns the first computer a confirmation message in the proposed synchronization mode. However, Carr et al discloses the second computer returning to the first computer a confirmation message accepting the proposed synchronization mode (see Fig. 1).

wherein the at least one operation is transmitted to the second computer before the second computer returns to the first computer the confirmation message accepting the proposed (see col. 4 in particular lines 21-24 and Fig. 1). It would have been obvious to the one of ordinary skill in art at the time of the invention having in the synchronizing and updating record in the database with the second computer returns to the first computer a confirmation message accepting the proposed synchronization. Thus, the system transfers data more accuracy and prevents data loss.

With respect to independent claim 2, Scott et al discloses a computer program, residing on a computer-readable medium, for synchronization a first database residing on a first computer with a second database residing on a second computer, comprising instructions for causing:

the first computer to transmit to the second computer a proposed synchronization mode and at least one operation operative on a record stored in the second database (see col. 1 in particular lines 24-31 and Fig. 1).

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With respect to independent claim 2, Scott et al discloses the claimed method except in the method for synchronization database : the second computer returns to the first computer a confirmation message in the proposed synchronization mode. However, Carr et al discloses the second computer returning to the first computer a confirmation message accepting the proposed synchronization mode (see Fig. 1).

wherein the at least one operation is transmitted to the second computer before the second computer returns to the first computer the confirmation message accepting the proposed (see col. 4 in particular lines 21-24 and Fig. 1).

With respect to dependent claim 3, Carr et al discloses the subject matter of wherein the first computer transmits the proposed synchronization mode and the at least one operation as a single message (see on abstract).

With respect to dependent claim 4, Carr et al discloses the subject matter of wherein the first computer and the second computer communicate via a message layer having a latency and wherein the first and the second databases are synchronized independently of the latency of the message layer (see col. 4 in particular lines 48-52).

With respect to dependent claim 5, Carr et al discloses the subject matter of wherein a plurality of the operations are concatenated in the single message (see Fig. 5B).

With respect to dependent claim 6, Carr et al discloses the subject matter of wherein each of the operations is associated with at least one record in at least one of the first and second databases (see Fig. 1).

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With respect to dependent claim 7, Carr et al discloses the subject matter of wherein each of the records comprises a unique record identifier (see col. 2 in particular lines 25-27 and Fig. 1).

With respect to dependent claim 8, Carr et al discloses the subject matter of wherein the second computer returns to the first computer a confirmation message confirming successful execution of the synchronization (see col. 4 in particular lines 19-32).

With respect to dependent claim 9, Carr et al discloses the subject matter of wherein the second computer returns the confirmation to the first computer not before receiving a subsequent synchronization request from the first computer (see Fig. 8B-8G).

With respect to dependent claim 10, Carr et al discloses the subject matter of wherein the second computer confirms a successful execution of only the last received operation and wherein the confirmation of the last received operation is indicative of the successful execution of all operations received by the second computer (see Fig. 4).

With respect to dependent claim 11, Carr et al discloses the subject matter of wherein the operations comprise at least one of adding, deleting, archiving and modifying records in at least one of the first and second database (starting col. 16 in particular lines 66 to col. 17 in particular lines 1-11).

With respect to dependent claim 12, Carr et al discloses the subject matter of wherein the confirmation message comprises at least one operation operative on a record stored in the first database (see col. 4 in particular lines 58-62).

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With respect to dependent claim 13, Carr et al discloses the subject matter of wherein the operations comprise at least one of adding, deleting, archiving or modifying records in at least one of the first and second databases (see (starting col. 16 in particular lines 66 to col. 17 in particular liens 1-11)).

With respect to dependent claim 15, Carr et al discloses the subject matter of wherein the first computer is a mobile computer (see Fig. 1).

With respect to dependent claim 16, Carr et al discloses the subject matter of wherein the second computer is a host computer (see Fig. 3).

***Allowable Subject Matter***

4. Claims 14, 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5,758,150      Bell et al      10/06/1995      395/610

System and method for database synchronization.

5,999,947      Zollinger et al      05/27/1997      707/203

Distributing database differences corresponding to database change events made to a database table located on a server computer.

6,081,806      Chang et al      01/15/1998      707/8

Computer database synchronization method.

5,794,252      Bailey et al      12/16/1996      707/202

Remote duplicate database facility featuring safe master audit trail (safemat) checkpoint.

5,835,908      Bennet et al      11/19/1996      707/10

Processing multiple database transaction in the same process to reduce process overhead and redundant retrieval from database servers.



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6. Any inquiry concerning this communication or earlier communication from the examiner should be direct to Thuy Do whose telephone number is (703)-306-5574. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-305-9600.

Thuy Do

October 31 2000

F. JOHN C. LOCKIS  
PATENT EXAMINER  
GROUP 2300

